

From: Gary Myers
To: Microsoft ATR
Date: 1/23/02 1:06pm
Subject: Microsoft Settlement

January 23, 2002
1110 Reynolds Blvd
Winston-Salem, NC 27105

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Dear Ms. Hesse,

The Proposed Final Judgement in the Microsoft Antitrust case is flawed in several ways. I will address one flaw that affects me personally.

Sections III D and III E are good sections in that force Microsoft to allow competing software developers equal access to information regarding system API's and communication protocols. However, I feel that these sections should go farther than they do in two ways.

First, file formats should be included. Microsoft has a history of using incompatible file formats for coorse users of Microsoft software to upgrade to newer versions. This same tactic same tactic can be used against competing software packages that attempt to interoperate with Microsoft products.

Second, the only entities entitled to access the information made available by sections III D and III E are "ISV's, IHV's, IAP's, ICP's and OEM's". Granted that the definition provide for ISV is fairly broad (anyone involved in software development), the Final Judgement should make this information available to the general public. As it stands, PFJ excludes private citizens who do not get paid to work in the software development field. As an owner of a Microsoft Operating System, I would like to be able to create software for my own personal use that will interact with my system correctly.

Thank you for taking the time to read my comments, and for your consideration is this matter.

Gary Myers